

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

MEDTRONIC VASCULAR, INC.,  
MEDTRONIC USA, INC., MEDTRONIC,  
INC., AND MEDTRONIC VASCULAR  
GALWAY, LTD.,

Plaintiffs,

V.

BOSTON SCIENTIFIC CORP., SCIMED  
LIFE SYSTEMS INC., AND BOSTON  
SCIENTIFIC SCIMED, INC.,

Defendants.

Civil Action No.: 2-09 CV-28-TJW

Before: Hon. T. John Ward

**JOINT MOTION TO DISMISS**

On January 23, 2009, the Court severed post-verdict causes of action in *Medtronic Vascular Inc. v. Boston Scientific Corporation*, CA No. 2-06-78 (TJW) and assigned them to a new case as captioned above. (Dkt No. 283.) In light of the settlement and the pending stipulated dismissal with prejudice of all claims and counterclaims in the parent case (Dkt. No. 286), Plaintiffs Medtronic, Inc., Medtronic Vascular, Inc., Medtronic USA, Inc., and Medtronic Vascular Galway, Ltd. and Defendants Boston Scientific Corporation, SciMed Life Systems Inc. and Boston Scientific SciMed, Inc. jointly move the Court to dismiss with prejudice all causes of action of the above-referenced action.

Dated: February 4, 2009

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Dated: February 4, 2009

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this notice was served on all counsel who are deemed to have consented to electronic service on this fourth day of February, 2009. Local Rule CV-5(a)(3)(A).

/s/ Sam F. Baxter